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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) CR No. 08-276 MHP  
Plaintiff, ) STIPULATION AND [PROPOSED] ORDER  
v. ) EXCLUDING TIME UNDER 18 U.S.C. § 3161  
GILBERTO NARANJO AVILA, )  
Defendant. )

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On June 16, 2008, the parties in this case appeared before the Court for a status conference. At that status conference, the parties requested that the Court exclude all time under the Speedy Trial Act from June 16, 2008 through July 7, 2008 because defense counsel needs additional time to evaluate the case, and to review discovery that the government produced. The parties agree that the length of the continuance is the reasonable time necessary for preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agree that the ends of justice

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1 served by granting such a continuance outweigh the best interests of the public and the defendant  
2 in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

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4 SO STIPULATED:

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6 JOSEPH P. RUSSONIELLO  
United States Attorney

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8 DATED: June 17, 2008

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/s/  
TAREK J. HELOU  
Assistant United States Attorney

9  
10 DATED: June 17, 2008

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/s/  
ELIZABETH M. FALK  
Attorney for Defendant GILBERTO NARANJO AVILA

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14 For the reasons stated above, the Court finds that exclusion of time from June 16, 2008  
15 through July 7, 2008 is warranted and that the ends of justice served by the continuance outweigh  
16 the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

17 The failure to grant the requested continuance would deny the defendant effective preparation of  
18 counsel, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(iv).

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20 SO ORDERED.

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22 DATED: \_\_\_\_\_

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28 THE HONORABLE MARILYN HALL PATEL  
United States District Judge